

REMARKS

The foregoing amendment is to provide claims consistent with the restriction requirement under 35 USC 121, rather than to avoid prior art.

Applicant respectfully requests reconsideration of the above identified application. Claims 1-30 are pending. Claims 17-22 and 26-30 are cancelled. Claims 31-41 are added.

The remaining comments are directed to the restriction requirement under 35 USC 121 and to the added Claims 31-41. Applicant respectfully notes that in the Office communication mailed on April 23, 2004, interpretations or characterizations by the Examiner include inferences and/or potential limitations, to which Applicant does not wholly agree. Therefore, Applicant reserves future rights to dispute any portion or all of said interpretations or characterizations.

RESPONSE TO REQUIREMENT FOR RESTRICTION

In the Office communication mailed April 23, 2004, a requirement for restriction under 35 USC 121 was made.

Accordingly, Applicant respectfully acknowledges the requirement for restriction and indicates an election of the following group of claims to be examined for the referenced application:

The group, I, as claimed in Claims 1-16, 23-25 and also in the added Claims 31-41.

Applicant believes that added Claims 31-41 are consistent with the elected group, I, and are also patentable. The addition of Claims 31-41 together with the cancellation of Claims 17-22 and 26-30 results in no net change in the number of claims presented for examination.

Applicant, therefore, believes that Claims 1-16, 23-25 and 31-41 are presently in condition for allowance and such action is earnestly solicited.

CONCLUSION

Applicant respectfully submits the present claims for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Lawrence M. Mennemeier at (408) 765-2194.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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